

DIVORCE WITH AN AGREEMENT – WITH CHILDREN

INSTRUCTIONS FOR FORM 4: CONFIDENTIAL PROPERTY & DEBT LISTING

(Form 4: Confidential Property and Debt Listing is part of the Divorce With an Agreement – With Children packet of forms. Review the instructions for the packet of forms before completing the Settlement Agreement.)

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include these instruction sheets when you serve or file the completed form.

THE PLAINTIFF AND DEFENDANT WORK TOGETHER TO COMPLETE THIS FORM.

Refer to the completed Form 3: Settlement Agreement to fill out this form. Plaintiff and Defendant must have agreed to a property settlement and have agreed upon the value of each item of property and the outstanding amount of each debt. If Plaintiff and Defendant have not agreed on the value of each item of property and the outstanding amount of each debt, you may not use this form or the *Divorce With an Agreement – With Children* packet of forms.

Top of form (Caption): Fill in the caption exactly as you filled in the caption on *Form 1: Summons*.

Paragraph 1: Refer to Paragraph 17, Agreement as to Facts, of *Form 3: Settlement Agreement*.

Include all the real property that you and your spouse own. Real property is land either with or without buildings upon it. An example would be your home. You will need to attach to the Property and Debt Listing the full legal description, which can be obtained off of your deed or mortgage. Next, list the agreed upon value of each parcel. Attach another sheet of paper if you need more space.

Paragraph 2: Refer to Paragraph 21, Agreement as to Facts, of *Form 3: Settlement Agreement*.

If you or your spouse own a business or a farm, all assets that are part of the operation should be listed under "Business/Farm." These items would include, but are not limited to: farm machinery, grain on hand, accounts receivable, business equipment, etc. Next, list the agreed upon values for each item. Attach another sheet of paper if you need more space.

Paragraph 3: Refer to Paragraph 21, Agreement as to Facts, of *Form 3: Settlement Agreement*.

List all accounts that you and your spouse have together or separately in which you have invested cash. Financial assets include, but are not limited to, checking accounts, savings accounts, CDs, stocks and bonds, investments in limited partnerships, etc. Next, list the agreed upon values each item. Attach another sheet of paper if you need more space.

Paragraph 4: Refer to Paragraph 20, Agreement as to Facts, of *Form 3: Settlement Agreement*.

List each plan - 401(K), IRA, Roth IRA, or other investment defined benefit plan - to which you or your spouse have made a contribution or which is a benefit from your own or your spouse's employment. Next, list the agreed upon value. Attach another sheet of paper if you need more space.

Paragraph 5: Refer to Paragraph 18, Agreement as to Facts, of *Form 3: Settlement Agreement*.

List all vehicles, recreational vehicles, and watercraft owned by you and your spouse. Next, list an agreed upon value. Attach another sheet of paper if you need more space.

Paragraph 6: List all the assets in your home and all other property not listed in any other place on the form. You do not need to list each piece of silverware - you may group assets together. For example, "small kitchen appliances" could be used to include the blender, toaster, coffee maker, food processor, electric fry pan. Try to make reasonable groupings. If the value of an item is under \$10, group it with something else. Next, list the agreed upon value for each item or grouping. Attach another sheet of paper if you need more space.

Paragraph 7: Refer to Paragraph 22, Agreement as to Facts, of *Form 3: Settlement Agreement*.

List all of your outstanding debts (excluding monthly utility bills). All debts must be listed which are owed by either you or your spouse or the two of you together. Next, list the agreed upon value, which would be the amount outstanding on your last statement. Attach another sheet of paper if you need more space.

Paragraph 8: list the total for each paragraph. For example, for Real Property Assets, add up all the real property listed in Paragraph 1 and list the total on the Real Property Assets line of Paragraph 8. Do the same for all of the other paragraphs. If you attached additional sheets of paper, make sure totals for each paragraph include the assets and debts listed on the additional sheets.

Date and Signature: THE PLAINTIFF AND DEFENDANT MUST EACH SIGN AND DATE THIS COMPLETED FORM IN THE PRESENCE OF A NOTARY PUBLIC OR CLERK OF COURT.

(The Confidential Property and Debt Listing is a confidential court record that is not generally available to be viewed by the public after the document is filed with the clerk of court. However, any person with good cause may make a written request to the court for access to the Confidential Property and Debt Listing. If a written request is made, the person making the request must notify the parties in the divorce. The parties will then have the option to tell the court in writing why they agree or disagree with the request. If the court finds that the public interest, or the personal interest of the person making the request, outweighs the privacy interest of the parties, or their dependent children, the court will grant access.)

Do not include these instruction sheets when you serve or file the completed form.

IN DISTRICT COURT

_____ JUDICIAL DISTRICT

Case No. _____

CONFIDENTIAL
PROPERTY AND DEBT LISTING

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
Subtotal	\$

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
Subtotal	\$

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
Subtotal	\$

4. Retirement/Pensions:

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
Subtotal	\$

5. Vehicles/Watercraft:

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
	\$
Subtotal	\$

6. Household Goods/Personal Property:

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
Subtotal	\$

7. Debts:

Description	Agreed Upon Value
	\$
	\$
	\$
	\$
	\$
	\$
Subtotal	\$

8. **Summary:**

Real Estate Assets	\$
Business Farm Assets	\$
Financial Assets	\$
Retirement/Pensions	\$
Vehicles/Watercraft	\$
Household Goods/Personal Property	\$
Debts	\$

Subtotal \$ _____

Dated this _____ day of _____, 20____.

Signature of Plaintiff

Signed and sworn to before me on _____, 20____
by _____.

(Notary Public or Clerk of Court)

If Notary, by commission expires: _____

Signature of Defendant

Signed and sworn to before me on _____, 20____
by _____.

(Notary Public or Clerk of Court)

If Notary, by commission expires: _____